

APPENDIX 6

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ePLUS, INC.,)	
)	
)	Civil Action No. 3:09-cv-620
Plaintiff,)	
)	
v.)	
)	
LAWSON SOFTWARE, INC.)	
)	
)	
Defendant.)	

**LAWSON SOFTWARE, INC.’S EXHIBITS AS TO WHICH ePLUS INC. OBJECTS AND
THE GROUNDS FOR OBJECTION**

Pursuant to Section V(D)(6) of the Court’s Scheduling Order, Plaintiff *ePlus, Inc.* (“*ePlus*”), through counsel, hereby submits the following general and specific objections to Defendant *Lawson Software, Inc.* (“*Lawson*”)’s Trial Exhibit List:

General Objections

1. Documents excluded pursuant to the Court’s rulings on motions in limine.

Defendant’s Trial Exhibit List includes nearly 100 documents which the Court has already ordered be excluded from trial either explicitly or implicitly.

2. Documents not previously disclosed during discovery or pursuant to Court Order.

ePlus also objects generally to the introduction of any evidence which, though it may be relevant to *Lawson*’s defenses, was not previously disclosed during discovery, in its responses to *ePlus*’s interrogatories or disclosed in Defendant’s Court Ordered Second Supplemental Statement of Invalidity Defenses.

3. Relevance. *ePlus* objects generally to *Lawson*’s introduction of any evidence

having no tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable and to the introduction of evidence wherein the probative value of that evidence is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

4. Exhibits not disclosed. *e*Plus reserves its right to present additional objections to exhibits not yet disclosed to *e*Plus by Lawson, including, but not limited to, Lawson Trial Exhibits DX 118, DX 119, DX 151, DX 152, DX 162, DX 368, DX 369 and DX 370.

5. Duplicative Exhibits. *e*Plus objects generally to Lawson's practice of including the same exhibit multiple times on its Trial Exhibit List.

6. Exhibits not properly described. *e*Plus objects generally to all Lawson exhibits not properly described including exhibits described as "excel spreadsheet" or impermissibly grouped exhibits.

KEY TO OBJECTIONS

Reference	Basis for Objection
106	Fairness requires admission of remainder of the document
401/402	The evidence in the exhibit is not relevant and is not admissible
403	Any relevance of the exhibit is substantially outweighed by the danger of unfair prejudice, confusion of the issues, misleading the jury, or considerations of unfair delay, waste or confusion of the issues, misleading the jury, or considerations of unfair delay, waste of time, or needless presentation of cumulative evidence.
801/802/805	The exhibit contains or is hearsay and no exception applies and/or the exhibit contains or is hearsay within hearsay and no exception applies.
901	The exhibit lacks authentication.
1002	Original required (Best Evidence)
1003	Poor duplicate – unfair to admit as duplicate (Best Evidence)
1006	The evidence in the exhibit includes improper summary of evidence.
Duplicate	The exhibit is duplicative of another exhibit(s)
FRCP 26	Not timely disclosed
IL	The exhibit is not legible
MD	Exhibit is inadmissible because it contains more than one document or is an improper collection of documents
MIL	Subject of motion <i>in limine</i>
NT/T	The exhibit contains text in a foreign language that is not translated to English, or the translation is inaccurate
NR	Exhibit not received—all objections are reserved

Specific Objections

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-11		Response to Second Office Action dated 05/26/98 from the '683 File History (Kinross Depo. Exh. 11)	L0132884-0132910	X															
DX-25		ProcureNet Internal Listing dated 04/13/01 (Farber Depo. Exh. 16)	ePLUS0070332-0070338		X											X			
DX-31		Lawson Insight II for IBM AS/400 Auto Installation Guide for Version 7.2.2.2	L0345798-0345979		X	X								X		X			
DX-32		Lawson Insight Inventory Control Release 7.0.7 Technical Text	L0359390-0359607		X	X								X		X			
DX-33		Lawson Insight Inventory Control Release 7.0.7 User Text	L0359608-0360482		X	X								X		X			
DX-34		Lawson Insight Inventory Control Release 7.0.7 Data File Text	L0358883-00359389	X	X	X								X		X			
DX-35		Lawson Software Release 6.0	L0004381-00004386											X		X			
DX-36		Requisitions Training Manual Release 6.0 09/01/94	L0009986-0010038											X		X			
DX-37		Unix Upgrade Release Notes Release 5.x to 6.0 dated February 1995	L0015260-15289											X		X			
DX-38		Purchase Order Conversion Workbook Release 6.1 dated November 1995	L0014150-0014247		X	X								X		X			
DX-39		Inventory Control Conversion Manual Release 6.0 dated February 1994	L0012800-0012836											X		X			
DX-40		Purchase Order Conversion Manual Release 6.0 dated April 1994	L0012492-0012517		X									X		X			
DX-41		Lawson Purchase Order Release 6.0 Enhancement Design dated October 30, 1992	L0024261-0024357		X	X								X		X			

¹ Excluded by Court Order.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-42		Lawson Unix Upgrade Manual Release 6.x to 6.0 dated February 1995 ^{2*}	L0015320-0015614		X	X							X			X			X
DX-43		Lawson Purchase Order Release 6.0 User Text	L0015615-0016422		X	X										X			
DX-44		05/23/93 Letter to Lawson from Maurice Blauch from Aircraft Service Int's	L0021190		X	X								X		X			
DX-50		License Agreement between ePlus and ProcureNet (Farber Depo. Exh. 59)	ePlus0949000-09490017		X	X													
DX-53		ProcureNet, Inc. Form S-1 (Farber Depo. Exh. 63)	ePlus0448712-0448851		X														
DX-56		Letter from SEC to ProcureNet, Inc. regarding withdrawal of Registration Statement on Form S-1 dated 11/10/000 (Farber Depo. Exh. 66)			X														
DX-58		ePlus 2001 10-K (Farber Ex. 71)	ePLUS0139447-0139555										DX 54						
DX-62		Fisher RIMS Trademark Application No. 74/384676 (Certified Copy)			X	X													
DX-63		P.O. Writer Plus V. 10 Manual ³	L0126155-0127601													X			
DX-64		UNIVERSE for UNIX Getting Started Release 2.1 dated February 1994	L0013572-0013711		X	X								X		X			
DX-73		Lawson Software Purchase Order Procedures Manual Release 6.0 dated 01/94 (Christopherson Depo. Exh. 39) ⁴	L0013146-013295		X								X			X			

² Exhibit is not accurately described.

³ Exhibit is not properly designated.

⁴ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-74		Lawson Software Requisitions Procedures Manual Release 6.0 dated 01/94 (Christopherson Depo. Exh. 40) ⁵	L0009725-0009773		X								X			X			
DX-75		Lawson Software Inventory Control Procedures Manual Release 6.0 dated 01/01/94 (Christopherson Depo. Exh. 41) ⁶	L0012837-0013145		X	X										X			
DX-80		ePlus, Inc. Statement of Profit and Loss Fiscal Years ended March 31 (Green Expert Report Exh. C) ⁷			X	X	X					X							
DX-81		ePlus, Inc. Statement of Profit and Loss Fiscal Years ended March 31 (Green Expert Report Exh. C-1) ⁸			X	X	X					X							
DX-83		ePlus, Inc. Statement of Profit and Loss Fiscal Years ended March 31 (Green Expert Report Exh. C-2) ¹⁰¹¹			X	X	X					X							
DX-86		Printout of notes titled "Systems are running on two platforms: HP-UX PA-RISC and IBM I" (Hvass Depo. Exh. 2) ¹²¹³			X	X								X			X		
DX-87		wip60_mod.txt (Hvass Depo. Exh. 6) ¹⁴¹⁵			X	X							X			X			

⁵ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

⁶ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

⁷ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 1006.

⁸ Lawson objects to ePlus, Inc.'s objections to DX-80, DX-81, DX-103, DX-109, DX-120, DX-121, DX-122, DX-124, DX-158, DX-232, DX-233, DX-349, DX-351, DX-352, DX-353, DX-354, DX-356, DX-357, DX-358, DX-359, DX-360, DX-361, DX-363, and DX-364 as untimely.

⁹ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 1006.

¹⁰ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 1006.

¹¹ Lawson objects to ePlus, Inc.'s Objections to DX-83 and DX-99 under FRE 401/402 and 801/802/805 as untimely.

¹² Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

¹³ Excluded by Court Order.

¹⁴ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-88		Support Mod.txt (Hvass Depo. Exh. 7) ¹⁶			X	X							X			X			
DX-89		Cyclical_mod.txt (Hvass Depo. Exh. 8) ¹⁷¹⁸			X	X							X			X			
DX-90		Screen shots by Jeff Hvass (Hvass Depo. Exh. 5) ¹⁹²⁰			X	X							X			X			
DX-91		Jeff Hvass demonstration of 5.0 Support ²¹²²			X	X			X	X							X		
DX-92		Jeff Hvass demonstration of 5.0 Cobdeliv ²³²⁴			X	X			X	X							X		
DX-93		Jeff Hvass demonstration of 6.0 ²⁵²⁶²⁷			X	X			X	X							X		
DX-94		Jeff Hvass demonstration of 6.1 ²⁸²⁹			X	X			X	X							X		

¹⁵ Excluded by Court Order.

¹⁶ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

¹⁷ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

¹⁸ Excluded by Court Order.

¹⁹ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

²⁰ Excluded by Court Order.

²¹ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

²² Excluded by Court Order.

²³ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

²⁴ Excluded by Court Order.

²⁵ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

²⁶ Excluded by Court Order.

²⁷ Excluded by Court Order.

²⁸ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103

²⁹ Excluded by Court Order.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-95		CD of Demonstration taken during Deposition of Jeff Hvass ³⁰	ePLUS0949076		X	X		X	X							X			
DX-99		ePlus, Inc. Statement of Profit and Loss Fiscal Years ended March 31 (Green Expert Report Exh. C-3) ³¹			X	X	X					X							
DX-100		ProcureNet Inc. Statement of Profit and Loss Fiscal Years ended December 31 (Green Expert Report Exh. D) ³²		X	X	X	X					X							
DX-101		ePlus, Inc. Statement of Profit and Loss Fiscal Years ended May 31 (Green Expert Report Exh. E) ³³³⁴			X	X	X					X						X	
DX-103		Lawson Software Total Accused License Revenue Fiscal Years ended May 31 (Green Expert Report Exh. J) ³⁵			X	X	X					X							
DX-104		Technical Viewer/2 ³⁶	G0000362-0000375	X	X											X			
DX-109		Lawson Software, Inc. Total Accused Maintenance Revenue Fiscal Years Ended May 31 (Green Expert Report Exh. J-2) ³⁷			X	X	X					X							
DX-111		5799-IBM Technical Viewer/2 (Pages from Eng Depo. Exh. 3)	ePlus0210933-0210938	X			X												

³⁰ Excluded by Court Order.

³¹ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 1006.

³² Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 1006.

³³ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 1006.

³⁴ Lawson objects to ePlus, Inc.'s Objections to DX-101 under FRE 401/402, 801/802/805 and 1006 as untimely.

³⁵ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 1006.

³⁶ Excluded by Court Order.

³⁷ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 1006.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-112		Video – Interactive Electric Technical Manuals	L0290560			X													
DX-118		Reserved for updated Lawson License and Maintenance Revenue Spreadsheet ³⁸																	
DX-119		Reserved for updated Lawson Services Revenue Spreadsheet ³⁹																	
DX-120		Tenth Edition Software Revision 10.0 dated 04/93 (McEneny Depo. Exh. 5)	L0126501-0126513	X															X
DX-121		Purchased Tutorial- Table of Contents re: P.O. Writer (McEneny Depo. Exh. 6)	L0126718-0126964	X															X
DX-122		P.O. Writer Tenth Edition Software 10.0 (McEneny Depo. Exh. 103) ⁴⁰	L0126501-0126513	X															X
DX-124		We've Got Connections! re: P.O. Writer Plus Version 6.0 (McEneny Depo. Exh. 96)	ePlus0219612-0219617		X														
DX-127		Ad Hoc Reporting Version 10.0 ((McEneny Depo. Exh. 99)	L0126396-0126402		X														
DX-128		Bar Code Interface Version 10.0 ((McEneny Depo. Exh. 100)	L0126403-0126422		X														
DX-131		P.O. Writer Plus Fax Module Version 10.0 (McEneny Depo. Exh. 105)	L0126702-0126717		X														
DX-132		P.O. Writer Receiving Manual for Version 10.0 (McEneny Depo. Exh. 106)	L0127297-0127504		X														
DX-134		Security Administrator's Guide Version 10.0 (McEneny Depo. Exh. 108)	L0126981-0126999		X														

³⁸ Lawson may update its license and maintenance spreadsheet depending on the Court's ruling on Lawson's pending motion in limine.

³⁹ Lawson may update its license and maintenance spreadsheet depending on the Court's ruling on Lawson's pending motion in limine.

⁴⁰ Exhibit is not properly described.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-135		Stock Requisitioning & Kitting System Administrator's Guide (McEneny Depo. Exh. 109)	L0127000-0127019		X														
DX-136		Stock Requisitioning & Kitting Version 10.0 (McEneny Depo. Exh. 110)	L0127020-0127102		X														
DX-137		Supplier Rating Report dated 02/03/93 (McEneny Depo. Exh. 111)	L0127103-0127137		X														
DX-138		System Administrator's Guide Version 10.0 (McEneny Depo. Exh. 112)	L0127138-0127227		X														
DX-139		Version Upgrade Kit Version 10.0 (McEneny Depo. Exh. 113)	L0127228-0127255		X														
DX-142		Buyers' Guide to Software for Purchasing dated 11/23/89 (McEneny Depo. Exh. 118)	ePLUS0219905-0219910		X	X													
DX-145		Diagram of the Gateway P.O with Fisher CSR (Pages of Ramos Depo. Exh. 5)	JR000206		X	X		X											
DX-147		Vendor Function and Cost Comparison dated 03/17/94 (Ramos Depo. Exh. 7)	ePLUS0501578-0501579				X	X											
DX-150		Gateway Screenshots	L0128494-128564			X	X	X							X		X		
DX-151		Reserved for summary of updated Lawson License Revenue Spreadsheet																	
DX-152		Reserved for summary of updated Lawson Maintenance Revenue Spreadsheet																	
DX-153		Gateway DOS Product Overview	L0128368-0128395											X			X		
DX-154		Gateway Newsletter dated 01/91	L0128358-0128361		X	X													
DX-155		Gateway Purchasing Manual dated 12/93	L0127887-0128208		X														
DX-157		Gateway Inventory Process User Manual	L0128209-0128356		X														

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-158		Fisher/Gateway Interface dated 06/04/90 (Jacobs Depo. Ex. 4)	ePLUS0219328-0219336		X		X												
DX-159	495	Letter from Tom Side to David Wilson dated 07/16/90 (Jacobs Depo. Ex. 5)	ePLUS0219337		X	X													
DX-160	496	TSA, Inc. letter to Fisher regarding file structures dated 10/29/90 (Jacobs Depo. Ex. 6)	ePLUS0216634-0216641		X	X													
DX-161	497	TSA, Inc. Proposal to Provide Re-engineering of Procurement System prepared for New York University Medical Center dated 05/12/94 (Jacobs Depo. Ex. 7)	ePLUS0497214-0497222		X	X													
DX-162	498	Letter from Kathy Detar-Gennuso (Fisher Scientific) to Dave Wilson regarding purchase order file transmission dated 11/30/89 (Jacobs Depo. Ex. 8)	ePLUS0501468-0501474		X	X	X												
DX-163		Letter from Ann Mull (Fisher Scientific) to NYU Medical Center regarding purchase order without transmission structure (Jacobs Depo. Ex. 9)	ePLUS0218057-0218061				X	X											
DX-165		Gateway System Management Manual dated 12/1993 (Jacobs Depo. Ex. 11)	ePLUS0213143-0213404		X														
DX-166		Gateway Inventory Processes User Manual dated 12/1993 (Jacobs Depo. Ex. 12)	ePLUS0213405-0213552		X														
DX-167		Reserved for updated Lawson Services Revenue Spreadsheet		OBJECTIONS RESERVED															
DX-170		REALITY Purchase Order Module	EP019996-020239		X								X			X			
DX-171		UNIVERSE Release Notes 2.1 dated July 1994 ⁴¹	L0014416-0014532		X		X						X			X			

⁴¹ Excluded by Court Order.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-172		UNVERSE for UNIX Developer's Workbench Release 2.1 dated January 1994 ⁴²	L0017726-0017890		X		X						X			X			
DX-173		UNVERSE CASE and 4GL Release 2.1 dated April 1994 ⁴³	L0017891-0018119		X								X			X			
DX-175		UNVERSE for UNIX Database administration Release 2.1 dated March 1994	L0025716-0025938		X								X			X			
DX-181		Lesson Four Process Bids	LE02060596-02060609	X	X														
DX-186		Purchase Order Procedures Manual Version 7.2.0 dated February 1999	LE01078665-01078888		X	X							X			X			
DX-190		Chapter 20 Application Changes from Release 6.0 (Shamos Depo. Exh. 3) ⁴⁴	L0373955-0374057	X	X	X							X			X			
DX-191		Requisitions Procedures Manual Version 7.2.1 dated April 1999	LE01101046-01101231		X	X							X			X			
DX-192		Purchase Order Procedures Manual Version 7.2.1 dated April 1999	LE01100551-01100774		X	X							X			X			
DX-193		Procurement Management Technical Guide Version 7.2.1 dated April 1999	LE00354500-00354727		X	X							X			X			
DX-195		Requisitions Procedures Manual Version 7.2.0 dated February 1999	LE01078889-01079072		X	X							X			X			
DX-211		Fisher Scientific International 1994 Annual Report; dated 1994 (O'Loughlin Depo. Exh. 41)	L0343632-0343667		X	X													
DX-212		Fisher Scientific International Form 10-K for 1992 (O'Loughlin Depo. Exh. 42)	L0343548-0343586	X	X	X													
DX-213		Fisher Scientific International Form 10-K for 1993 (O'Loughlin Depo. Exh. 43)	L0343587-0343631		X	X													
DX-230		IBM Technical Viewer/2 General Information Manual	G0000012-29										X						

⁴² Excluded by Court Order.⁴³ Excluded by Court Order.⁴⁴ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-232		File History of U.S. Patent No. 6,055,516 (Certified Copy)	L0132511-0132698									X						X	
DX-233		File History of U.S. Patent No. 6,023,683 (Certified Copy)	L0132699-0132936															X	
DX-234		Notice of Allowability regarding Application No. 08/288,577 (U.S. Patent No. 6,023,683) dated 11/20/98	L0132912-0132916	X															
DX-236		Notice of Allowability regarding Application No. 09/532,557 (U.S. Patent No. 6,505,172) dated 03/27/01	L0132089-0132094	X								X							
DX-237		File History of Reexamination No. 90/008,104 ⁴⁵ ⁴⁶ (Certified Copy)			X	X										X			
DX-238		Decision on Request for Reexamination 90/008,104 dated 10/28/06 ⁴⁷ ⁴⁸ (Certified Copy)			X	X										X			
DX-239		File History of Reexamination No. 90/009,636 (U.S. Patent No. 6,055,516) ⁴⁹ ⁵⁰ (Certified Copy)			X	X										X			
DX-240		Order Granting/Denying Request for Ex Parte Reexamination for Reexamination No. 90/009,636 dated 01/15/10 ⁵¹ ⁵²			X	X										X			

⁴⁵ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

⁴⁶ Excluded by Court Order.

⁴⁷ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

⁴⁸ Excluded by Court Order.

⁴⁹ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

⁵⁰ Excluded by Court Order.

⁵¹ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

⁵² Excluded by Court Order.

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DX-241		File History of Reexamination No. 95/000,487 (U.S. Patent No. 6,505,172) ⁵³ (Certified Copy) ⁵⁴			X	X										X			
DX-242		Order Granting/Denying Request for Inter Partes Reexamination for Reexamination No. 95/000,487 dated 10/23/09 ⁵⁵ ⁵⁶			X	X										X			
DX-243		File History of Reexamination No. 90/011,066 ⁵⁷ ⁵⁸ (Certified Copy)			X	X										X			
DX-246		U.S. Patent No. 4,984,155: Geier ⁵⁹ (Certified Copy)	ePlus0137907-0137924		X									X		X			
DX-247		5.0 Source Code ⁶⁰	L0172985		X	X		X	X							X			
DX-248		6.1 Source Code ⁶¹	L0345246		X	X		X	X					X		X			
DX-249		6.1 Source Code from Ciber ⁶² ⁶³	L0417613		X	X		X	X							X			
DX-250		7.2.4 Source Code	L0135743		X									X		X			

⁵³ Excluded by Court Order.⁵⁴ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.⁵⁵ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.⁵⁶ Excluded by Court Order.⁵⁷ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.⁵⁸ Excluded by Court Order.⁵⁹ Excluded by Court Order.⁶⁰ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.⁶¹ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.⁶² Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.⁶³ Excluded by Court Order.

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DX-256		PHYSICAL: Bendix-Philips 1966 Thru 1969 Auto Radio Replacement Parts Price List ⁶⁴			X														
DX-257		PHYSICAL: Sears 1984 Fall/Winter Catalog			X														
DX-258		PHYSICAL: Montgomery Wards Fall/Winter 1984 Catalog			X														
DX-259		PHYSICAL: Address book			X														
DX-260		PHYSICAL: Rolodex			X														
DX-261		PHYSICAL: Verizon Yellow pages January 2008 for Area Code 804			X														
DX-262		Designated portions of Steve Mencarini Deposition dated May 26, 2010		X			X						Discovery Designation						
DX-272		ePlus 2008 10-K	ePlus0432996-073										X						
DX-274		ePlus 2009 10-K	ePlus0528741-824										X						
DX-276		Lawson Software Acquisition History ⁶⁵	L0344871-0344872		X		X		X							X			
DX-277		01/28/04 Letter to Lawson enclosing Value Added Reseller Agreement between Micro Focus and Lawson ⁶⁶	L0344941-0344952		X		X									X			
DX-291		ePlus Acquisition of Structured Computer Services and SourceSys Inc. Valuation Methodologies and Valuations	ePlus0139230-51		X	X	X												
DX-295		April 14, 1999 ProcureNet / Fisher Agreement	ePlus0700136-155		X	X		X					X						

⁶⁴ Physical Exhibits are available for Inspection.

⁶⁵ Excluded by Court Order.

⁶⁶ Excluded by Court Order.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-296		ProcureNet Internal Listing 4/15/01	ePlus0134665-0134957		X		X						X		X	X			
DX-307		IBM OEM Software Agreement ⁶⁷	L0344898-0344903		X														
DX-308		Value Added Industry Remarketer Agreement Exhibit 10.24 dated 08/13/01 ⁶⁸ (Green Depo. Exh. 4)	L0145818-0145865		X											X			
DX-309		Lawson Associates Inc. Application Partner Agreement with Arbor Software Corporation dated 08/13/01 ⁶⁹ (Green Depo. Exh. 5)	L0145866-0145917		X											X			
DX-310		IBM WebSphere License (Lawson Exh. 126) ⁷⁰	L0344875-0344897		X											X			
DX-311		Micro Focus License (Lawson Exh. 127) ⁷¹	L0344977-0344998		X											X			
DX-323		Lawson Software Inc. Client Legal Audit Documents	LE02698476-478		X														
DX-324		Lawson Insight AS/400 BOM – Release 7.1.5	LE01364204-207		X	X	X						X						
DX-327		6.1 Product Launch Feature / Benefit Document	L0026861-881		X	X							X			X			
DX-331		Baxter Healthcare Corporation: ASAP Express ⁷²	L0340559-0340571		X	X										X			
DX-332		Lawson Software Inventory Control Conversion Manual release 6.0 ⁷³	L0012800-0012836		X	X							X			X			

⁶⁷ Excluded by Court Order.⁶⁸ Excluded by Court Order.⁶⁹ Excluded by Court Order.⁷⁰ Excluded by Court Order.⁷¹ Excluded by Court Order.⁷² Excluded by Court Order.⁷³ Lawson offers this exhibit pursuant to the Court's rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-333		Summary of 5.0 and 6.0 Differences – IC, PO and RQ ⁷⁴	L0017230-0017236		X	X							X			X			
DX-334		“Beyond Business Process Redesigning Redefining Baxter’s Business Network, MIT Sloan Management Review; Short et al., dated Fall 1992 ⁷⁵ ⁷⁶	L0343527-0343543		X	X										X			
DX-340		Report of Credit Suisse First Boston on Lawson Software dated 11/24/03											X						
DX-341		J.P. Morgan Securities Equity Research regarding Lawson Software dated 09/26/03											X						
DX-342		Report by McDonald Equity Research regarding Ariba, Inc. dated 05/21/02 ⁷⁷			X								X						
DX-343		Report by Morgan Stanley regarding Ariba dated 05/01/02 ⁷⁸			X								X						
DX-344		Report by Robinson-Humphrey regarding Clarus Corp. dated 07/26/01			X								X						
DX-345		Report by Robert Stephens regarding Commerce One, Inc. dated 01/24/02 ⁷⁹			X								X						
DX-346		Report by Salmon Smith Barney regarding Ariba, Inc. dated 05/01/02 ⁸⁰			X								X						

⁷⁴ Lawson offers this exhibit pursuant to the Court’s rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

⁷⁵ Lawson offers this exhibit pursuant to the Court’s rulings on the motions in limine and pursuant to Federal Rule of Evidence 103.

⁷⁶ Excluded by Court Order.

⁷⁷ Lawson reserves the right to remove all or portions of this exhibit based on the Court’s findings on the pending motions in limine.

⁷⁸ Lawson reserves the right to remove all or portions of this exhibit based on the Court’s findings on the pending motions in limine.

⁷⁹ Lawson reserves the right to remove all or portions of this exhibit based on the Court’s findings on the pending motions in limine.

⁸⁰ Lawson reserves the right to remove all or portions of this exhibit based on the Court’s findings on the pending motions in limine.

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-349		ePlus Return on Investment for Technology Acquired for ProcureNet (Green Expert Report Exh. F)			X	X	X				X								
DX-350		Lawson Software Expectations for Procurement Software for Fiscal Years Ended May 31 (Green Expert Report Exh. G)			X	X	X				X				X				
DX-351		Lawson Software License Revenue vs. Consulting Revenue Quarterly Data: 1Q2006-3Q2010 (Green Expert Report Exh. H)			X	X	X				X								
DX-352		Lawson Software Customers that Purchased Procurement Software License Fiscal Years 2005-2009 (Green Expert Report Exh. I)			X	X	X				X								
DX-353		Lawson Software Profits on Accused Revenue Fiscal Years Ended May 31 (Green Expert Report Exh. J-1)			X	X	X				X								
DX-354		Lawson Software Count of Allegedly Infringing Licenses Sold Fiscal Years Ended May 31 (Green Expert Report Exh. J-3)			X	X	X				X								
DX-355		Lawson Software Lump Sum as a Percent of Procurement Software Revenue & Operating Profits Fiscal Years Ended May 31 (Green Expert Report Exh. K)			X	X	X				X				X				
DX-356		Lawson Software Procurement Software: License Earnings Fiscal Years Ended May 31 (Green Expert Report Exh. K-1)			X	X	X				X								
DX-357		Lawson Software Procurement Software: Maintenance Earnings Fiscal Years Ended May 31 (Green Expert Report Exh. K-2)			X	X	X				X								
DX-358		Lawson Software Customer Numbers: Purchases of IC, PO & RQ Applications (Green Expert Report Exh. L)			X	X	X				X								

Def. No.	Plt. No.	Description of Exhibit	Bates Number	106	401/ 402	403	801/ 802/ 805	901	1002	1003	1006	DUP	FRCP 26	IL	MD	MIL	NT/T	NR	INACC
DX-359		Lawson Software Customer Numbers Purchases of FINPRO (Green Expert Report Exh. L-1)			X	X	X				X								
DX-360		Lawson Software Customer Numbers: Purchases of M3EPR (Green Expert Report Exh. L-2)			X	X	X				X								
DX-361		Lawson Software Customer Numbers: Purchases of PROC (Green Expert Report Exh. L-3)			X	X	X				X								
DX-363		Lawson Software Total Accused License Revenue November 1, 2003-March 31, 2010			X	X	X				X								
DX-364		Lawson Software Total Accused License Revenue May 19, 2009 – August 6, 2010			X	X	X				X								
DX-368		1006 Summaries																	
DX-369		Reserved for Exhibits related to new Reserved for invalidity expert																	
DX-370		Reserved for Exhibits related to new source code expert																	
DX-371		Oxford English Dictionary definition of “Published”	N/A			X		X											